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10/083,557	02/27/2002	Steve Schnetzler	2207/14007	5880

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KENYON & KENYON LLP  
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SUITE 700  
WASHINGTON, DC 20005

EXAMINER
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BENGZON, GREG C

ART UNIT	PAPER NUMBER
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2444

MAIL DATE	DELIVERY MODE
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10/19/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/083,557	<b>Applicant(s)</b> SCHNETZLER, STEVE	
	<b>Examiner</b> GREG C. BENGZON	<b>Art Unit</b> 2444	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 5) ☒ Claim(s) 1-21 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 1-21 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____.                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                          |

### **DETAILED ACTION**

This application has been examined. Claims 1-21 are pending.

#### ***Making Final***

Applicant's arguments filed 08/24/2011 have been fully considered but they are not persuasive.

The claim amendments regarding -- '*modifying the data by adding an identity of the first server to a portion of the data that would be used to initiate a subsequent request from the client computer*' -- and -- '*forwarding the modified data*' -- clearly change the literal scope of the independent and dependent claims and/or the range of equivalents for such claims. The said amendments alter the scope of the claims but do not overcome the disclosure by the prior art as shown below.

The Examiner is maintaining the rejection(s) using the same grounds for rejection and thus making this action FINAL.

#### ***Response to Arguments***

Applicant's arguments filed 08/24/2011 have been fully considered but they are not persuasive.

The Applicant presents the following argument(s) [*in italics*]:

*...neither Barrera nor Bodwell disclose the 'modifying' and 'adding' limitation of claim 1... Colasurdo discloses a session ID that is transmitted by the client machine as*

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*part of the request wherein the session ID defines a set of related requests, not the first server that processes the request. This is not the same as modifying the requested data by adding an identity of the first server to a portion of the data that would be used to initiate a subsequent request from the client computer and forwarding the modified data to the client computer as claimed in the present application.*

The Examiner respectfully disagrees with the Applicant.

Colasurdo disclosed *modifying the requested data by adding an identity of the first server to a portion of the data that would be used to initiate a subsequent request from the client computer and forwarding the modified data to the client computer.*

Colasurdo Column 8 Lines 1-25 disclosed wherein a unique clone identification code identifying a specific clone within a server group can be appended to the jsessionid as shown below: jsessionid=abcdefg:ucid123 (1) where ucid123 is a unique clone identification code. Accordingly, when a front-end request dispatch software module receives requests corresponding to any given session and server group, it can read the clone identification code appended to the jsessionid and direct them always to the same clone in the server group whenever possible.

The Colasurdo jsessionid is used to *initiate a subsequent request from the client computer.* Colasurdo further modifies the jsessionid *by adding an identity of a specific clone within a server group.* Colasurdo then forwards the modified jsessionid to the client computer.

The Applicant presents the following argument(s) [*in italics*]:

*... the cited references do not teach, suggest or describe "[a] method of accessing data from a plurality of servers comprising: ... adding an identity of the first server to the data and forwarding the data to the client computer wherein subsequent requests received from the client computer include said first server identity and sending each of said subsequent requests to said first server." (e.g., as described in the embodiment of claim 1).*

The Examiner respectfully disagrees with the Applicant.

Colasurdo Column 7 Lines 45-65 disclosed directing requests to an appropriate server based on factors such as content-based rules, load balancing rules and session affinity rules. Upon receiving a client browser request Colasurdo reviews the request to determine to which server it must be dispatched. Typically, the request dispatch routine will first determine which server group handles requests of that type (i.e., content-based factors which are usually derived from the URI of the request). Then, it will select a particular clone in that server group taking into consideration at least session affinity rules (e.g., it will try to send the request in any given session to the same server in the group) and load balancing rules (i.e., it will attempt to spread the request load evenly among the server clones in the group).

Colasurdo Column 4 Lines 1-15 disclosed wherein when a server creates a session, it assigns a unique session ID value that is sent back top the client machine under the name jsessionid. Thereafter, the client machine will include the session Id in

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all requests issued to that server farm. The session ID might be sent in a cookie that forms part of the request. Alternately, it might be appended to the URI of the request in a mechanism known as URL rewriting.

Colasurdo Column 8 Lines 1-25 disclosed wherein a unique clone identification code identifying a specific clone within a server group can be appended to the jsessionid as shown below: jsessionid=abcdefg:ucid123 (1) where ucid123 is a unique clone identification code. Accordingly, when a front-end request dispatch software module receives requests corresponding to any given session and server group, it can read the clone identification code appended to the jsessionid and direct them always to the same clone in the server group whenever possible.

Colasurdo disclosed (re. Claim 1,8) wherein *subsequent requests received from the client computer include said first server identity;* (Colasurdo- Column 8 Lines 1-25, *wherein a unique clone identification code identifying a specific clone within a server group can be appended to the jsessionid as shown below: jsessionid=abcdefg:ucid123 (1) where ucid123 is a unique clone identification code*) and sending each of said subsequent requests to said first server. (Colasurdo- Column 7 Lines 45-65, *send the request in any given session to the same server in the group,* Column 9 Lines 35-45, *wherein the client machine sends a URI to the server farm that requires processing in the first server group again. As usual, the request dispatcher will determine the appropriate server group from the URI and will parse the jsessionid cookie from left to right and will now use the first unique clone identification code when it encounters it to*

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*send the request to the same server clone that had serviced previous requests with that session ID and thus, hopefully, already has the session data stored locally. )*

### ***Priority***

The effective date of the claims described in this application is February 27, 2002.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil et al. (US Patent 6128279), in view of Barrera et al. (US Patent 6748448), further in view of Colasurdo US Patent 7543066).

O'Neil disclosed (re. Claim 1,8 ) a method of accessing data from a plurality of servers comprising: (Figure 1-4, Column 3 Lines 10-15, Column 3 Lines 55-65) receiving a request for the data from a client computer; (Column 7 Lines 55-65) sending the request to a first server of the plurality of servers; receiving the data from the first server.(Column 8 Lines 1-35, Column 9 Lines 5-30) and forwarding the data to the client computer

However O'Neil did not disclose certain features of the invention, such as adding an identity of the first server to the data, and the adding the identity of the first server comprises revising the at least one URL to include a server identifier that corresponds to the first server.

Barrera disclosed a system and method of increasing performance by reducing latency the client experiences between sending a request to the server and receiving a response. Barrera disclosed of receiving a request for network content and modifying the URL, such that the URL request resource file physical I/O address is preferably embedded in the client computer browser page URL link, thereby establishing a correspondence between the browser page element and the resource file. (Barrera - Column 4 Lines 10-50, Column 8 Lines 50-65, Column 9 Lines 1-10) Barrera also disclosed of sending a host server name to a Domain Name System (DNS) server in order to look up the IP address of the indicated server. (Barrera - Column 3 Lines 35-45)



O'Neil and Barrera are analogous art because they present concepts and practices regarding improving the network system performance in the context of fulfilling content requests received from a client computer. The Examiner respectfully suggests that at the time of the invention it would have been obvious to combine the teachings of Barrera regarding modifying the URL and imbedding the physical device identification into the URL into the system of O'Neil. The said combination would enable the system of O'Neil to 1) add an identity of the first server to the data, and 2) add the identity of the first server by revising the at least one URL to include a server identifier that corresponds to the first server. The suggested motivation for doing so would have been, as Barrera suggests (Column 4 Lines 1-5), to increase the performance of computer networks without requiring modifications of existing browser and enable by-passing some data storage access layers.

While O'Neil-Barrera substantially disclosed the claimed invention O'Neil-Barrera did not disclose (re. Claim 1,8) wherein *subsequent requests received from the client computer include said first server identity; and sending each of said subsequent requests to said first server.*

Colasurdo Column 7 Lines 45-65 disclosed directing requests to an appropriate server based on factors such as content-based rules, load balancing rules and session affinity rules. Upon receiving a client browser request Colasurdo reviews the request to

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determine to which server it must be dispatched. Typically, the request dispatch routine will first determine which server group handles requests of that type (i.e., content-based factors which are usually derived from the URI of the request). Then, it will select a particular clone in that server group taking into consideration at least session affinity rules (e.g., it will try to send the request in any given session to the same server in the group) and load balancing rules (i.e., it will attempt to spread the request load evenly among the server clones in the group).

Colasurdo Column 4 Lines 1-15 disclosed wherein when a server creates a session, it assigns a unique session ID value that is sent back to the client machine under the name `jsessionid`. Thereafter, the client machine will include the session ID in all requests issued to that server farm. The session ID might be sent in a cookie that forms part of the request. Alternately, it might be appended to the URI of the request in a mechanism known as URL rewriting.

Colasurdo Column 8 Lines 1-25 disclosed wherein a unique clone identification code identifying a specific clone within a server group can be appended to the `jsessionid` as shown below: `jsessionid=abcdefg:ucid123 (1)` where `ucid123` is a unique clone identification code. Accordingly, when a front-end request dispatch software module receives requests corresponding to any given session and server group, it can read the clone identification code appended to the `jsessionid` and direct them always to the same clone in the server group whenever possible.

Colasurdo disclosed (re. Claim 1,8) wherein *subsequent requests received from the client computer include said first server identity*; (Colasurdo- Column 8 Lines 1-

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*25, wherein a unique clone identification code identifying a specific clone within a server group can be appended to the jsessionid as shown below: jsessionid=abcdefg:ucid123 (1) where ucid123 is a unique clone identification code) and sending each of said subsequent requests to said first server. (Colasurdo- Column 7 Lines 45-65, send the request in any given session to the same server in the group, Column 9 Lines 35-45, wherein the client machine sends a URI to the server farm that requires processing in the first server group again. As usual, the request dispatcher will determine the appropriate server group from the URI and will parse the jsessionid cookie from left to right and will now use the first unique clone identification code when it encounters it to send the request to the same server clone that had serviced previous requests with that session ID and thus, hopefully, already has the session data stored locally. )*

Colasurdo and O'Neil are analogous art because they present concepts and practices regarding improving the network system performance in the context of fulfilling content requests received from a client computer. At the time of the invention it would have been obvious to combine Colasurdo into O'Neil-Barrera to include a system component for implementing the Colasurdo load-balancing rules and schemes while assuring that subsequent requests are serviced by the same server that previously serviced requests with that session ID. (Colasurdo-Column 8 Lines 25-35)

Colasurdo disclosed (re. Claim 1,8) *modifying the requested data by adding an identity of the first server to a portion of the data that would be used to initiate a*

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*subsequent request from the client computer and forwarding the modified data to the client computer. ( Colasurdo-Column 8 Lines 1-25, a unique clone identification code identifying a specific clone within a server group can be appended to the jsessionid as shown below: jsessionid=abcdefg:ucid123 (1) where ucid123 is a unique clone identification code. Accordingly, when a front-end request dispatch software module receives requests corresponding to any given session and server group, it can read the clone identification code appended to the jsessionid and direct them always to the same clone in the server group whenever possible. )*

The Colasurdo jsessionid is used to *initiate a subsequent request from the client computer*. Colasurdo further modifies the jsessionid *by adding an identity of a specific clone within a server group*. Colasurdo then forwards the modified jsessionid to the client computer.

O'Neil-Barrera-Colasurdo disclosed (re. Claim 2,9) determining whether the request includes a server identifier. (O'Neil-Column 4 Lines 1-35)

O'Neil-Barrera-Colasurdo disclosed (re. Claim 3,10) wherein the request is a Uniform Resource Locator (URL). (O'Neil-Column 4 Lines 1-35)

O'Neil-Barrera-Colasurdo disclosed (re. Claim 4,11) wherein the data is a HyperText Markup Language (HTML) page. (Barrera-Column 2 Lines 55-65)

O'Neil-Barrera-Colasurdo disclosed (re. Claim 5,12) wherein the HTML page comprises at least one Uniform Resource Locator (URL). (o-1Column 8 Lines 1-35)

O'Neil-Barrera-Colasurdo disclosed (re. Claim 6,13) wherein the sending the request to the first server comprises a load balancing algorithm. (O'Neil-Column 3 Lines 55-65)

O'Neil-Barrera-Colasurdo disclosed (re. Claim 7,14) wherein the sending the request to the first server comprises sending the request to a server identified by the server identifier. (Colasurdo- Colasurdo- Column 7 Lines 45-65, *send the request in any given session to the same server in the group*, Column 9 Lines 35-45, *wherein the client machine sends a URI to the server farm that requires processing in the first server group again. As usual, the request dispatcher will determine the appropriate server group from the URI and will parse the jsessionid cookie from left to right and will now use the first unique clone identification code when it encounters it to send the request to the same server clone that had serviced previous requests with that session ID and thus, hopefully, already has the session data stored locally.* )

Claims 15-21 (re. a computer-readable medium) are rejected on the same basis as Claims 1-7.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil et al. (US Patent 6128279), hereinafter referred to as O'Neil, in view of Bodwell et al. (US Patent 6954783) hereinafter referred to as Bodwell further in view of Colasurdo US Patent 7543066).

O'Neil disclosed (re. Claim 1,8 ) a method of accessing data from a plurality of servers comprising: (Figure 1-4, Column 3 Lines 10-15, Column 3 Lines 55-65) receiving a request for the data from a client computer; (Column 7 Lines 55-65) sending the request to a first server of the plurality of servers; receiving the data from the first server.(Column 8 Lines 1-35, Column 9 Lines 5-30)

However O'Neil did not disclose certain features of the invention, such as adding an identity of the first server to the data and forwarding the data to the client computer, and the adding the identity of the first server comprises revising the at least one URL to include a server identifier that corresponds to the first server.

Bodwell disclosed adding an identity of the first server to the data and forwarding the data to the client computer, and the adding the identity of the first server comprises revising the at least one URL to include a server identifier that corresponds to the first server. (Bodwell-Column 4 Lines 60 thru Column 5 Lines 25).

O'Neil and Bodwell are analogous art because they present concepts and practices regarding improving the network system performance in the context of fulfilling content requests received from a client computer. The Examiner respectfully suggests that at the time of the invention it would have been obvious to combine the teachings of Bodwell regarding modifying the URL and imbedding the physical device identification into the URL into the system of O'Neil. The said combination would enable the system of O'Neil to 1) add an identity of the first server to the data and forward the data to the client computer, and 2) add the identity of the first server by revising the at least one URL to include a server identifier that corresponds to the first server. The suggested motivation for doing so would have been, as Bodwell suggests (Column 2 Lines 20-35), to provide substantial advantages for mediating web pages.

While O'Neil-Bodwell substantially disclosed the claimed invention O'Neil-Bodwell did not disclose (re. Claim 1,8) wherein *subsequent requests received from the client computer include said first server identity; and sending each of said subsequent requests to said first server.*

Colasurdo Column 7 Lines 45-65 disclosed directing requests to an appropriate server based on factors such as content-based rules, load balancing rules and session affinity rules. Upon receiving a client browser request Colasurdo reviews the request to determine to which server it must be dispatched. Typically, the request dispatch routine will first determine which server group handles requests of that type (i.e., content-based factors which are usually derived from the URI of the request). Then, it will select a particular clone in that server group taking into consideration at least session affinity rules (e.g., it will try to send the request in any given session to the same server in the group) and load balancing rules (i.e., it will attempt to spread the request load evenly among the server clones in the group).

Colasurdo Column 4 Lines 1-15 disclosed wherein when a server creates a session, it assigns a unique session ID value that is sent back to the client machine under the name jsessionid. Thereafter, the client machine will include the session ID in all requests issued to that server farm. The session ID might be sent in a cookie that forms part of the request. Alternately, it might be appended to the URI of the request in a mechanism known as URL rewriting.

Colasurdo Column 8 Lines 1-25 disclosed wherein a unique clone identification code identifying a specific clone within a server group can be appended to the jsessionid as shown below: jsessionid=abcdefg:ucid123 (1) where ucid123 is a unique clone identification code. Accordingly, when a front-end request dispatch software module receives requests corresponding to any given session and server group, it can



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read the clone identification code appended to the jsessionid and direct them always to the same clone in the server group whenever possible.

Colasurdo disclosed (re. Claim 1,8) wherein *subsequent requests received from the client computer include said first server identity*; (Colasurdo- Column 8 Lines 1-25, *wherein a unique clone identification code identifying a specific clone within a server group can be appended to the jsessionid as shown below: jsessionid=abcdefg:ucid123 (1) where ucid123 is a unique clone identification code*) and sending each of said subsequent requests to said first server. (Colasurdo- Column 7 Lines 45-65, *send the request in any given session to the same server in the group*, Column 9 Lines 35-45, *wherein the client machine sends a URI to the server farm that requires processing in the first server group again. As usual, the request dispatcher will determine the appropriate server group from the URI and will parse the jsessionid cookie from left to right and will now use the first unique clone identification code when it encounters it to send the request to the same server clone that had serviced previous requests with that session ID and thus, hopefully, already has the session data stored locally.* )

Colasurdo and O'Neil are analogous art because they present concepts and practices regarding improving the network system performance in the context of fulfilling content requests received from a client computer. At the time of the invention it would have been obvious to combine Colasurdo into O'Neil-Bodwell to include a system component for implementing the Colasurdo load-balancing rules and schemes while

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assuring that subsequent requests are serviced by the same server that previously serviced requests with that session ID. (Colasurdo-Column 8 Lines 25-35)

Colasurdo disclosed (re. Claim 1,8) *modifying the requested data by adding an identity of the first server to a portion of the data that would be used to initiate a subsequent request from the client computer and forwarding the modified data to the client computer.*( Colasurdo-Column 8 Lines 1-25,*a unique clone identification code identifying a specific clone within a server group can be appended to the jsessionid as shown below: jsessionid=abcdefg:ucid123 (1) where ucid123 is a unique clone identification code. Accordingly, when a front-end request dispatch software module receives requests corresponding to any given session and server group, it can read the clone identification code appended to the jsessionid and direct them always to the same clone in the server group whenever possible. )*

The Colasurdo jsessionid is used to *initiate a subsequent request from the client computer.* Colasurdo further modifies the jsessionid *by adding an identity of a specific clone within a server group.* Colasurdo then forwards the modified jsessionid to the client computer.

Claim 8 is rejected on the same basis as Claim 1.

O'Neil-Bodwell-Colasurdo disclosed (re. Claim 2,9) determining whether the request includes a server identifier. (O'Neil-Column 4 Lines 1-35)

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O'Neil-Bodwell-Colasurdo disclosed (re. Claim 3,10) wherein the request is a Uniform Resource Locator (URL). (O'Neil-Column 4 Lines 1-35)

O'Neil-Bodwell-Colasurdo disclosed (re. Claim 4,11) wherein the data is a HyperText Markup Language (HTML) page. (Bodwell-Column 4 Lines 55-65)

O'Neil-Bodwell-Colasurdo disclosed (re. Claim 5,12) wherein the HTML page comprises at least one Uniform Resource Locator (URL). (O'Neil-Column 8 Lines 1-35)

O'Neil-Bodwell-Colasurdo disclosed (re. Claim 6,13) wherein the sending the request to the first server comprises a load balancing algorithm. (O'Neil-Column 3 Lines 55-65)

O'Neil-Bodwell-Colasurdo disclosed (re. Claim 7,14) wherein the sending the request to the first server comprises sending the request to a server identified by the server identifier. (Colasurdo- Column 7 Lines 45-65, *send the request in any given session to the same server in the group*, Column 9 Lines 35-45, *wherein the client machine sends a URI to the server farm that requires processing in the first server group again. As usual, the request dispatcher will determine the appropriate server group from the URI and will parse the jsessionid cookie from left to right and will now use the first unique clone identification code when it encounters it to send the request to the same server clone that had serviced previous requests with that session ID and*

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*thus, hopefully, already has the session data stored locally. )*

Claims 15-21 (re. a computer-readable medium) are rejected on the same basis as Claims 1-7.

### ***Conclusion***

**Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to the enclosed PTO-892 form.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GREG C. BENGZON whose telephone number is (571)272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter-Anthony Pappas can be reached on (571)272-7646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/GREG C BENGZON/  
Primary Examiner, Art Unit 2444